

## Environmental Protection Agency

## § 96.370

### Subpart GGGG—CAIR NO<sub>x</sub> Ozone Season Allowance Transfers

SOURCE: 70 FR 25382, May 12, 2005, unless otherwise noted.

#### § 96.360 Submission of CAIR NO<sub>x</sub> Ozone Season allowance transfers.

A CAIR authorized account representative seeking recordation of a CAIR NO<sub>x</sub> Ozone Season allowance transfer shall submit the transfer to the Administrator. To be considered correctly submitted, the CAIR NO<sub>x</sub> Ozone Season allowance transfer shall include the following elements, in a format specified by the Administrator:

- (a) The account numbers for both the transferor and transferee accounts;
- (b) The serial number of each CAIR NO<sub>x</sub> Ozone Season allowance that is in the transferor account and is to be transferred; and
- (c) The name and signature of the CAIR authorized account representative of the transferor account and the date signed.

#### § 96.361 EPA recordation.

(a) Within 5 business days (except as provided in paragraph (b) of this section) of receiving a CAIR NO<sub>x</sub> Ozone Season allowance transfer, the Administrator will record a CAIR NO<sub>x</sub> Ozone Season allowance transfer by moving each CAIR NO<sub>x</sub> Ozone Season allowance from the transferor account to the transferee account as specified by the request, provided that:

- (1) The transfer is correctly submitted under § 96.360; and
- (2) The transferor account includes each CAIR NO<sub>x</sub> Ozone Season allowance identified by serial number in the transfer.

(b) A CAIR NO<sub>x</sub> Ozone Season allowance transfer that is submitted for recordation after the allowance transfer deadline for a control period and that includes any CAIR NO<sub>x</sub> Ozone Season allowances allocated for any control period before such allowance transfer deadline will not be recorded until after the Administrator completes the deductions under § 96.354 for the control period immediately before such allowance transfer deadline.

(c) Where a CAIR NO<sub>x</sub> Ozone Season allowance transfer submitted for rec-

ordation fails to meet the requirements of paragraph (a) of this section, the Administrator will not record such transfer.

#### § 96.362 Notification.

(a) *Notification of recordation.* Within 5 business days of recordation of a CAIR NO<sub>x</sub> Ozone Season allowance transfer under § 96.361, the Administrator will notify the CAIR authorized account representatives of both the transferor and transferee accounts.

(b) *Notification of non-recordation.* Within 10 business days of receipt of a CAIR NO<sub>x</sub> Ozone Season allowance transfer that fails to meet the requirements of § 96.361(a), the Administrator will notify the CAIR authorized account representatives of both accounts subject to the transfer of:

- (1) A decision not to record the transfer, and
- (2) The reasons for such non-recordation.

(c) Nothing in this section shall preclude the submission of a CAIR NO<sub>x</sub> Ozone Season allowance transfer for recordation following notification of non-recordation.

### Subpart HHHH—Monitoring and Reporting

SOURCE: 70 FR 25382, May 12, 2005, unless otherwise noted.

#### § 96.370 General requirements.

The owners and operators, and to the extent applicable, the CAIR designated representative, of a CAIR NO<sub>x</sub> Ozone Season unit, shall comply with the monitoring, recordkeeping, and reporting requirements as provided in this subpart and in subpart H of part 75 of this chapter. For purposes of complying with such requirements, the definitions in § 96.302 and in § 72.2 of this chapter shall apply, and the terms “affected unit,” “designated representative,” and “continuous emission monitoring system” (or “CEMS”) in part 75 of this chapter shall be deemed to refer to the terms “CAIR NO<sub>x</sub> Ozone Season unit,” “CAIR designated representative,” and “continuous emission monitoring system” (or “CEMS”) respectively, as defined in § 96.302. The owner or operator of a unit that is not a CAIR